

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

LEVEL 3 COMMUNICATIONS, LLC)
)
PLAINTIFF,)
)
v.) CIVIL ACTION NO.
) CV-08-CO-0110-S
SPECTRUM ENVIRONMENTAL)
SERVICES, INC.,)
)
DEFENDANT.)

ANSWER

COMES NOW the Defendant, Spectrum Environmental Services, Inc., and answers the complaint as follows:

1. Admitted.
2. Admitted.
3. Admitted.
4. Admitted.
5. Admitted.
6. Admitted.
7. This paragraph does not require a response by defendant.
8. Denied.
9. Denied.
10. Denied.
11. Denied.
12. This paragraph does not require a response by defendant.
13. Denied.

14. Denied.

AFFIRMATIVE DEFENSES

FIRST AFFIRMATIVE DEFENSE

Defendant hereby pleads contributory negligence.

SECOND AFFIRMATIVE DEFENSE

Defendant hereby pleads "last clear chance" doctrine.

THIRD AFFIRMATIVE DEFENSE

Defendant hereby pleads "superceding, intervening calls".

FOURTH AFFIRMATIVE DEFENSE

Defendant hereby pleads "assumption of the risk".

s\Philip R. Collins
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OF COUNSEL:

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CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of the above and foregoing pleading on all attorneys of record by e-filing on this the 13th day of February, 2008:

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s\ Philip R. Collins
OF COUNSEL